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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/073,750	02/09/2002	Grant M. Ehrlich	D-176-1	6093	
7590 11/07/2003			EXAN	MINER	
John R. Doherty			DOVE, TR	DOVE, TRACY MAE	
P.O. Box 706 Stevenson, CT 06491-0706		ART UNIT	PAPER NUMBER		
			1745	·	

DATE MAILED: 11/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Application No.   Application No.   Application No.   10/1073,750   EHRLICH ET AL.		<b>~</b>	
Particle Action Summary  Examiner  Tracy, Dove  1745  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address →  Portod for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM  THE MAILING DATE OF THIS COMMUNICATION.  Edetabases of time may be available under the provision of 37 CF4 1.136(a). In no event, however, may a reply be timely filled.  If the period is easy beginded above, the insertions allutation predet will exply and will expens SIX (8) MONTH's from the mailing date of the provision of the provi		Application No.	Applicant(s)
Tracy Dove 1745  The MAILING DATE of this communication appears on the cover sheet with the correspondence address  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE of THIS COMMUNICATION.  HE MAILING DATE FOR THIS COMMUNICATION.  If the period for reply seciled above is less than bility (30) days, a reply villen no statutory maximum of their, (30) days, will be considered time?  If the period for reply seciled above is less than bility (30) days, a reply villen in the statutory maximum of their, (30) days, and is considered time?  If the period for reply seciled above is less than bility (30) days, a reply villen in the statutory maximum of their, (30) MONTH's from the resulting date of this communication.  If the period for reply seciled above is less than bility (30) days, a reply villen in the statutory maximum of their, (30) MONTH's from the resulting date of this communication.  If the period for reply seciled above is less than bility (30) days, a reply villen in the statutory maximum of their period of the communication.  If the period for reply seciled time of the communication is the statutory period will reply and will depend any day will be considered time?  If the period for reply seciled and the replication is non-final.  SISTEMS  Status  Status  Status  Status  Status  Status  Status  Application is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  Application of Claims  Application is Ji-12 is/are pending in the application.  Signal claim(s) 10-17 is/are pending in the application.  Signal claim(s) 10-17 are subject to restriction and/or election requirement.  Application Papers  9 The specification is objected to by the Examiner.  The proposed drawing correction filled on is is allowed the property of the property of the	Office Action Summary		
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of the may be switched under the provision of 37 CFR 1.19(a). In or event, however, may a reply be simply filed after 50x (6) AICNTHS from the mailing date of this communication, reply within the statutory maintain of thing (30) days will be considered timely.  If I/O pand for reply is specified above, the maintain attatory panded within the subtatory maintain or the maining date of this communication.  Failure to reply within the set of extended pende for righy will, by statute, cause the application to become AIANDONED (35 U.S.C. § 133).  Any reply received by the Office set from this mornification after the maining date of this communication, even if the provision of th	Onice Action Summary		
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  **Entire State of Month of the Communication Control of the Control o	The MAN INC DATE of this communication and		
THE MAILING DATE OF THIS COMMUNICATION.  Estatesians of time may be available under the provisions of 37 CPR 1.13(a). In or event, however, may a reply be timely filed after SIX (6) MONT TS from the malling lade of this communication.  If this period or nexy specified above is less than third (30 days, and ignory) within the statutory minimum of thisty (20) days will be considered timely.  Fallure to reply within the set or octended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133):  Any reply received by the Office alter than three months after the mailing date of this communication, even if timely filed, may reduce any summer patient term signiseried. See 37 CPR 7.74(b).  Status  1)② Responsive to communication(s) filed on 09 February 2002.  2a)① This action is FINAL.  2b)② This action is FINAL.  2b)② This action is non-final.  3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)② Claim(s) 10-17 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)□ Claim(s) is/are rejected.  7)□ Claim(s) is/are rejected.  7)□ Claim(s) is/are rejected.  10)□ The drawing(s) filed on is/are: a)□ accepted or b)□ objected to by the Examiner.  Application Papers  9)□ The specification is objected to by the Examiner.  11)□ The proposed drawing correction filed on is: a)□ approved b)□ disapproved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12)□ The oath or declaration is objected to by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12)□ The oath or declaration is objected to by the Examiner.  If approved, corrected drawing correction filed on is: a)□ approved by□ disapproved by the Examiner.  If approved, corrected drawing correction filed on interpret provisity under		ears on the cover sheet with the c	orrespondence address
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	2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal F	

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## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 10-13, drawn to a method of coating a substrate, classified in class 427, subclass 207.1.
- II. Claims 14-17, drawn to a film coating for a lithium battery, classified in class429, subclass 209.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process as claimed can be used to make other and materially different products such as capacitors and/or fuel cells.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

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A telephone call was made to John Doherty on 11/5/03 to request an oral election to the above restriction requirement, but did not result in an election being made. The phone number listed for Applicant has been disconnected.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tracy Dove whose telephone number is (703) 308-8821. The Examiner may normally be reached Monday-Thursday (9:00 AM-7:30 PM). My supervisor is Pat Ryan, who can be reached at (703) 308-2383. The Art Unit receptionist can be reached at (703) 308-0661 and the official fax numbers are 703-872-9310 (after non-final) and 703-872-9311 (after final).

Tracy Dove

Patent Examiner

Technology Center 1700

Art Unit 1745

November 5, 2003